



## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[TD 9967]

RIN 1545-BO92

### Section 42, Low-Income Housing Credit Average Income Test Regulations; Correction

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Correcting amendments.

**SUMMARY:** This document contains corrections to the final regulations (Treasury Decision 9967) published in the **Federal Register** on Wednesday, October 12, 2022. This correction includes final and temporary regulations setting forth guidance on the average income test for purposes of the low-income housing credit.

**DATES:** These corrections are effective on [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER] and applicable on or after October 12, 2022.

**FOR FURTHER INFORMATION CONTACT:** Concerning the regulations, Dillon Taylor at (202) 317-4137.

#### SUPPLEMENTARY INFORMATION:

##### Background

The final regulations (TD 9967) subject to this correction are issued under section 42 of the Internal Revenue Code.

##### List of Subjects in 26 CFR Part 1

Income taxes, Reporting and recordkeeping requirements.

##### Correction of Publication

Accordingly, 26 CFR part 1 is corrected by making the following correcting amendments:

## **PART 1--INCOME TAXES**

**Paragraph 1.** The authority citation for part 1 continues to read in part as follows:

Authority: 26 U.S.C. 7805 \* \* \*

**Par. 2.** Section 1.42-19 is amended by revising the first sentence of paragraph (d)(1)(v) to read as follows:

### **§ 1.42-19 Average income test.**

\* \* \* \* \*

(d) \* \* \*

(1) \* \* \*

(v) \* \* \* If one or more units lose low-income status or if there is a change in the imputed income limitation of some unit and if either event would cause a previously qualifying group of units to cease to be described in paragraph (b)(2)(ii) of this section, then the taxpayer may designate an imputed income limitation for a market-rate unit or may reduce the existing imputed income limitations of one or more other units in the project in order to restore compliance with the average income requirement. \* \* \*

\* \* \* \* \*

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